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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/525,056

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Katsumi Karasawa

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06/17/2004

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EXAMINER

STEVENS, ROBERTA A

ART UNIT

PAPER NUMBER

2665

14

DATE MAILED: 06/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/525,056

Applicant(s)

KARASAWA, KATSUMI

Examiner

Roberta A Stevens

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 and 18-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 18-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 18, 22, and 27-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Davis (U.S. 5838678).

3. Regarding claims 1, Davis teaches (col. 9, line 50 – col. 10, line 50 and figures 9 and 14) an information processing apparatus comprising: input means (fig. 9, elements 902, 908) for inputting variable length packet data (video data, audio data) including packet length information indicative of a packet length and encoded information data,; judgment means (906) for judging the packet length of the variable length packet data (col. 9, lines 64-67); and packet generating means (914) for generating said variable length packet data into fixed length packet data in accordance with an output of said judgment means, and transmitting the fixed length packet data (col. 10, lines 1-7), wherein the packet generating means includes memory means for generating fixed-length data, the memory means is initialized by writing stuffing data into in advance (col. 10, lines 30-38), and the packet generating means generates the fixed length data by writing the variable length packet data into the initialized memory means in accordance with the packet length judged by the judgment means

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4. Regarding claim 2, Davis teaches (col. 11, lines 4-10) a clock reference information generating means for use in a time reference during decoding of encoded data.

5. Regarding claim 3, Davis teaches (col. 11, line 61-63) program specific information included in the data.

6. Regarding claim 4, Davis teaches (figure 9) the input means inputs a plurality of types of variable length packet data.

7. Regarding claim 5, Davis teaches (col. 11, lines 4-10) the packet generating means transmits the fixed length packet data provided with the clock reference information, when no effective fixed length packet data is present.

8. Regarding claim 6, Davis teaches (col. 11, line 61-63) transmitting the fixed length packet data provided with the program specific information, when no effective fixed length packet data is present.

9. Regarding claims 7, 19 and 23, Davis teaches (col. 1, lines 21-44 and figure 9) the variable length packet data is PES (906) conforming to ISO/IEC 13818-1, and the fixed length packet data is TS (914) conforming to ISO/IEC 13818-1.

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10. Regarding claims 8 and 20, Davis teaches (col. 1, lines 21-44 and col. 11, lines 1-10) the clock reference information is PCR conforming to ISO/IEC 13818-1.

11. Regarding claims 9 and 24, Davis teaches (col. 1, lines 21-44 and col. 11, line 61-63) the program specific information is PSI conforming to ISO/IEC 13818-1.

12. Regarding claims 10, 21 and 25, Davis teaches (col. 1, lines 21-44 and col. 9) the information data is image data, and is encoded in conformity with ISO/IEC 13818-2

13. Regarding claim 11, Davis teaches (fig. 1, element 136) inserting a stuffing byte when the code length of the variable length packet is less than the code length, which can be inserted into the fixed-length packet

14. Regarding claim 18, Davis teaches (col. 9, line 50 – col. 10, line 50 and figures 9 and 14) an information processing apparatus comprising: generating means for generating variable-length packets including encoded information (906); generating means (914) for generating and transmitting fixed-length packet data from the variable length packets; and generating means for generating clock reference information (col. 11, lines 4-10) for use in a time reference during decoding wherein the second generating means operates within a predetermined time interval.

15. Regarding claim 22, Davis teaches (col. 9, line 50 – col. 10, line 50 and figures 9 and 14) an information processing apparatus comprising: first generating means (904) for generating

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variable length packet data including encoded information data; second generating means (914) for generating and transmitting first fixed length packet data from the variable length packet data generated by the first generating means; and generating means for generating program specific information (col. 11, lines 61-67) indicative of a program specific of the first fixed length packet data, wherein the second generating means operates within a predetermined time interval

16. Regarding claim 26, Davis teaches (col. 9, line 50 – col. 10, line 50 and figures 9 and 14) an information processing method comprising: inputting variable length packet data including packet length information indicative of a packet length and encoded information data; judging the packet length of the variable length packet data (col. 9, lines 50-67); generating said variable length packet data into fixed length packet data in accordance with an output of said judgment means, and transmitting the fixed length packet data (col. 10, lines 1-7), wherein the generating step includes initializing memory means for generating fixed-length data, by writing stuffing data into in advance (col. 10, lines 30-38), and generating step generates the fixed length data by writing the variable length packet data into the initialized memory means in accordance with the packet length judged in the judging step.

17. Regarding claim 27, Davis teaches (col. 9, line 50 – col. 10, line 50 and figures 9 and 14) a information processing method comprising: generating variable length packets including encoded information data (906); generating and transmitting first fixed length packet data (video) from variable length data (914); and generating clock reference information for use in a time reference (col. 11, lines 4-10) during decoding of the encoded information, wherein the fixed length

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generating step includes a step of generating second fixed length packet (audio) data including the clock reference information and transmitting it within a predetermined time interval, and a step of compulsorily transmitting it when there is no effective first fixed length packet.

18. Regarding claim 28, Davis teaches (col. 9, line 50 – col. 10, line 50 and figures 9 and 14) a information processing method comprising: generating variable length packets included encoded information data (col. 9, lines 50-67); generating and transmitting first fixed length packet data (video) from variable length data (col. 10, lines 1-10); and generating program specific information (MPEG) indicative of a program specific of the first fixed length packet (col. 11, lines 61-67), wherein the fixed length generating step includes a step of generating second fixed length packet data (audio) including the program specific information (MPEG) and a step of transmitting it when there is no effective first fixed length packet within a predetermined interval, and a step of compulsorily transmitting it when there is no effective first fixed length packet data.

19. Regarding claim 29-31, Davis teaches (column 10 and figure 9) a storage medium for storing information processing program and read by a computer.

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***Conclusion***

20. Any inquiry concerning the communication or earlier communications from the examiner should be directed to Roberta Stevens whose telephone number is (703) 308-6607. The examiner can normally be reached on Monday through Friday from 9:00 am to 5:30 p.m.

21. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor can be reached on (703) 308-6602.

22. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 305-3900.

23. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:** (703) 872-9306


For informal draft communications, please label "PROPOSED" or "DRAFT"

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA. Sixth Floor (Receptionist).

Roberta A. Stevens

Patent Examiner

06-10-04



STEVEN NGUYEN  
PRIMARY EXAMINER